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**Local Government & Housing Committee**

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**SB 5374**

**Brief Description:** Regarding the board of directors of an air pollution control authority.

**Sponsors:** Senator Fairley.

**Brief Summary of Bill**

- Requires that vacancies on air pollution control authority boards be filled by the same method as the original appointment.
- Requires a county auditor to solicit nominations from city selection committee members prior to initiating a mail-in ballot process to appoint a board member.

**Hearing Date:** 3/16/09

**Staff:** Thamas Osborn (786-7129)

**Background:**

Local air pollution control authorities (authorities) are established by the Washington Clean Air Act. Each authority is a municipal corporation that is responsible for carrying out specified duties relating to the prevention and control of air pollution. Each of Washington's 39 counties has an authority. However, some authorities are inactive.

A board of directors (board) governs each authority. The method of designating board members varies according to the number of counties comprising the authority and the populations within each county. A board member is designated by a board of county commissioners, a city, a city selection committee, or the board. State law does not specify a procedure for filling mid-term vacancies on the board.

Each county within the jurisdiction of an authority has a city selection committee, which makes the initial appointments to the board following the formation of an authority. The city selection committee may choose an appointee to the board through a decision made at a meeting, or

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through a mail-in ballot procedure administered by the county auditor. State law does not specify any method for designating candidates for the mail-in ballot procedure.

**Summary of Bill:**

Vacancies on air pollution control boards that occur mid-term must be filled using the same method as the original appointment. However, the replacement of board members initially appointed by city selection committees are exempted from this requirement and are authorized to fill a vacancy in a meeting or via mail-in ballot.

If a city selection committee is to appoint a board member via mail-in ballot, the county auditor is required to solicit nominations from committee members prior to initiating the mail-in ballot process.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.